

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

JOHN A. SEIN and MARY
K. BROOKS,
Plaintiffs,

v.

DANILO O. FELICIANO, CLAYTON
L. ROBERSON, RAYMOND
GONZALEZ, JOHN SLEPCHUK,
WILLIAM FITCHET and CITY OF
SPRINGFIELD.
Defendants.

CIVIL ACTION NO:

3:12-CV-30015-MAP

MUNICIPAL DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT
AS TO COUNT XI OF
THE PLAINTIFFS' COMPLAINT

Now come the Defendants CITY OF SPRINGFIELD ("City") and WILLIAM FITCHET ("Fitchet"), in the above captioned case, and moves this honorable court to enter Summary Judgment as to Count XI only pursuant to Fed. R. Civ. P. 56 in favor of the City and Fitchet.

As grounds therefore, the Defendants state that there are no genuine issues of material fact and reading the facts in the light most favorable to the Plaintiffs, Defendants are entitled to judgment as a matter of law.

In support thereof, Defendants have submitted the accompanying memorandum of Law, Statement of Undisputed Facts and supporting Exhibits (1-7).

CONCLUSION

Wherefore, the Defendants respectfully request this Court to grant its' Motion for Summary Judgment as to Count XI of Plaintiff's Complaint.

*DENIED as to any claim related to video recording, and ALLOWED, without opposition, in all other respects, for the reasons stated in open court on April 4, 2013. So ordered.
Michael B. Power JST 4.4.13*